GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:4321
ANSWERED ON:11.08.2016
Transparency and Accountability in Judiciary
Jaiswal Dr. Sanjay

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Government is aware of certain instances of alleged misconduct of Judges of various courts in the country;
(b) if so, the details thereof along with the reaction of the Government thereto;
(c) whether the Government proposes to evolve any mechanism for redressal of complaints against the conduct of Judges and if so, the details thereof;
(d) whether the Government proposes to make the judiciary more transparent and accountable; and
(e) if so, the details thereof and if not, the reasons therefor?

Answer

ANSWER
MINISTER OF STATE FOR LAW AND JUSTICE AND ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI P.P. CHAUDHARY)

(a) to (c): Complaints alleging misconduct by judges of various courts in the country have come to the notice of the Government. As per the in-house mechanism for the higher judiciary, Chief Justice of India is competent to receive complaints against the conduct of the Judges of the Supreme Court and the Chief Justice of the High Courts. Similarly, the Chief Justices of the High Courts are competent to receive complaints against the conduct of their Courts. Administrative control over the members of the subordinate judiciary in the States vests with the concerned High Court and State Government.

(d)&(e) : In order to change the existing system for investigation into the complaints of misbehaviour or incapacity of a Judges of the Supreme Court or High Courts as well as to enforce greater accountability, a Bill titled "Judicial Standards and Accountability Bill" was moved by the Government in the previous Lok Sabha. However, the Bill could not be passed and lapsed due to dissolution of 15th LokSabha.